

**Notice of Allowability**

Application No.

09/879,354

Examiner

Brian J. Detwiler

Applicant(s)

TANIWAKI, YOSHINORI

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed 19 November 2004.
2. ☒ The allowed claim(s) is/are 1 and 3-14.
3. ☒ The drawings filed on 12 June 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Presson on 9 June 2005.

The application has been amended as follows:

In claim 1: lines 2 and 3, replace [venue where a performance including a movie or a theatrical production is presented] with -- movie theater where a movie is presented --.

In claim 1: line 4, between "terminal" and "comprising", insert -- installed at each seat in the movie theater --.

In claim 1: line 20, replace [whereby] with -- wherein --.

In claim 1: line 21, replace [performance] with -- movie --.

In claim 1: line 21, replace [alternatively] with -- alternately --.

Cancel claim 2.

In claim 7: line 2, replace [performance] with -- movie --.

In claim 7: line 3, replace [performance] with -- movie --.

In claim 7: line 4, replace [venue] with -- movie theater --.

In claim 7: line 4, replace [performance] with -- movie --.

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In claim 9: lines 2 and 3, replace [venue where a performance including a movie or a theatrical production is presented] with -- movie theater where a movie is presented --.

In claim 9: line 6, replace [venue] with -- movie theater --.

In claim 9: line 9, replace [venue] with -- movie theater --.

In claim 9: line 19, replace [whereby] with -- wherein --.

In claim 9: line 20, replace [alternatively] with -- alternately --.

In claim 9: line 20, replace [performance] with -- movie --.

In claim 10: line 4, replace the first instance of [the] with -- a --.

In claim 10: line 5, delete [of].

In claim 10: line 5, delete [and].

In claim 10: between lines 5 and 6, insert -- receiving a response from the audience member as a function of the displaying step; and --.

In claim 10: line 6, replace [starting product selling for] with -- initiating a sale of the merchandise to --.

In claim 10: line 8, replace [whereby] with -- wherein --.

In claim 10: line 9, replace [alternatively] with -- alternately --.

In claim 11: line 4, between "seat" and "for", insert -- in the movie theater --.

In claim 11: line 4, between "member," and "information" insert -- electronic --.

In claim 11: line 5, replace "the corresponding image" with -- a corresponding one of the images --.

In claim 11: line 6, replace [whereby] with -- wherein --.

In claim 11: line 7, replace [alternatively] with -- alternately --.

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In claim 12: line 4, between “seat” and “for”, insert -- in the movie theater --.

In claim 12: line 4, between “member,” and “information” insert -- electronic --.

In claim 12: line 9, replace [starting processing requested] with -- processing a request--.

In claim 12: line 11, replace [whereby] with -- wherein --.

In claim 12: line 12, replace [alternatively] with -- alternately --.

In claim 13: line 4, between “seat” and “for”, insert -- in the movie theater --.

In claim 13: lines 6-8, replace [receiving, when the audience member inputs information using the terminal which displays the information about the image scenes, the information input by the audience member from the terminal] with -- receiving user input information inputted by the audience member from the terminal as a function of the displaying step --.

In claim 13: line 9, replace [the information] with -- response data --.

In claim 13: line 11, replace [whereby] with -- wherein --.

In claim 13: line 12, replace [alternatively] with -- alternately --.

In claim 14: line 4, between “seat” and “for”, insert -- in the movie theater --.

In claim 14: lines 7-9, replace [receiving, when the audience member inputs information using the terminal which displays the information about the image scenes, the information input by the audience member from the terminal] with -- receiving user input information inputted by the audience member from the terminal as a function of the displaying step --.

In claim 14: line 10, replace [the information] with -- response data --.

In claim 14: line 12, replace [whereby] with -- wherein --.

In claim 14: line 13, replace [alternatively] with -- alternately --.

**Clean Copy of Claims**

1. (Currently Amended) An audience information collecting system for providing information to an audience member at a movie theater and for collecting information from the audience member, comprising:

an audience terminal installed at each seat in the movie theater comprising:

provided information output means for outputting provided information to the audience member;

response information input means for inputting predetermined response information given by the audience member in response to the provided information;

personal information reading means for reading personal information from a storage medium having stored therein beforehand the personal information of the audience member; and

first transmitting and receiving means for receiving the provided information and for transmitting the response information and the personal information; and

an information collecting unit comprising:

provided information storage means for storing the provided information;

second transmitting and receiving means for transmitting the provided information and for receiving the response information and the personal information; and

compiling means for creating a compiled result of the response information and the personal information;

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wherein said terminal is mounted to a seat in which said audience member sits such that said audience member can alternately view said terminal and said performance by merely shifting his or her eyes and without having to reposition said terminal.

2. (Canceled)

3. (Original) An audience information collecting system according to Claim 1, wherein the compiled result of the response information and the personal information compiled by said information collecting unit is transmitted via a network to a server of a client who has requested that information be collected.

4. (Original) An audience information collecting system according to Claim 1, wherein the provided information includes advertisement information for merchandise; and the audience member makes a purchase request to purchase the merchandise using said response information input means.

5. (Original) An audience information collecting system according to Claim 4, wherein funds are electronically stored in said storage medium; and the audience member makes a payment for a purchase requested by the payment request using said personal information reading means.

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6. (Original) An audience information collecting system according to Claim 4, wherein said information collecting unit receives and compiles the purchase request from the audience member and transmits the compiled result to a server of a distributor of the merchandise.

7. (Currently Amended) An audience information collecting system according to Claim 1, wherein information about the content of the movie is sequentially transmitted as the provided information and said information collecting unit while the movie is being presented at the movie theater, and the information about the content of the performance is output from said provided information output means.

8. (Original) An audience information collecting system according to Claim 1, wherein said audience terminal further comprises storage means for temporarily storing the received provided information.

9. (Currently Amended) An audience information collecting method for providing information to an audience member at a movie theater where a movie is presented and for collecting information from the audience member, comprising the steps of:

transmitting provided information to the audience member from an information collecting unit installed in the movie theater;

reading personal information from a storage medium having stored therein beforehand the personal information of the audience member, wherein said reading is done using an

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audience terminal which is installed at each seat in the movie theater and which is connected to said information collecting unit via a network;

receiving and outputting the provided information, wherein said receiving and outputting is done by said audience terminal;

inputting predetermined response information given by the audience member in response to the provided information, wherein said inputting is done by said audience terminal;

transmitting the response information and the personal information, wherein said transmitting is done by said audience terminal; and

receiving and compiling the response information and the personal information, wherein said receiving and compiling is performed by said information collecting unit;

wherein said terminal is mounted to a seat in which said audience member sits such that said audience member can alternately view said terminal and said movie by merely shifting his or her eyes and without having to reposition said terminal.

10. (Currently Amended) An information providing method for providing information to an audience member at a movie theater, comprising the steps of:

displaying information about related merchandise on an audience terminal at the same time a corresponding image is projected onto a screen at the movie theater in association with showing the image;

receiving a response from the audience member as a function of the displaying step;

initiating a sale of the merchandise to the audience member in response to operation of the audience terminal by the audience member;



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wherein said terminal is mounted to a seat in which said audience member sits such that said audience member can alternately view said terminal and a performance by merely shifting his or her eyes and without having to reposition said terminal.

11. (Currently Amended) An information providing method for providing information to an audience member at a movie theater, comprising the steps of:

showing images on a screen at the movie theater; and

displaying, on a terminal provided at each seat in the movie theater for the audience member, information about the screened images at the same time a corresponding one of the images is being shown;

wherein said terminal is mounted to a seat in which said audience member sits such that said audience member can alternately view said terminal and a performance by merely shifting his or her eyes and without having to reposition said terminal.

12. (Currently Amended) An information providing method for providing information to an audience member at a movie theater, comprising the steps of:

showing image scenes on a screen at the movie theater;

displaying, on a terminal provided at each seat in the movie theater for the audience member, electronic information about the screened image scenes at the same time the corresponding image scene is being shown;

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receiving, when the audience member inputs information using the terminal which displays the information about the image scenes, the information input by the audience member from the terminal; and

processing a request by the audience member in response to the input information;

wherein said terminal is mounted to a seat in which said audience member sits such that said audience member can alternately view said terminal and a performance by merely shifting his or her eyes and without having to reposition said terminal.

13. (Currently Amended) An information providing method for providing information to an audience member at a movie theater, comprising the steps of:

showing image scenes on a screen at the movie theater;

displaying, on a terminal provided at each seat in the movie theater for the audience member, information about the screened image scenes at the same time the corresponding image scene is being shown;

receiving user input information inputted by the audience member from the terminal as a function of the displaying step; and

compiling the input information to create response data about the image scenes in response to the inputting operation;

wherein said terminal is mounted to a seat in which said audience member sits such that said audience member can alternately view said terminal and a performance by merely shifting his or her eyes and without having to reposition said terminal.

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14. (Currently Amended) An information providing method for providing information to an audience member at a movie theater, comprising the steps of:

showing image scenes on a screen at the movie theater;

displaying, on a terminal provided at each seat in the movie theater for the audience member, information about the screened image scenes at the same time the corresponding image scene is being shown;

receiving audience unique information for identifying the audience member;

receiving user input information inputted by the audience member from the terminal as a function of the displaying step; and

compiling the input information to create response data about the image scenes in association with the audience unique information;

wherein said terminal is mounted to a seat in which said audience member sits such that said audience member can alternately view said terminal and a performance by merely shifting his or her eyes and without having to reposition said terminal.

***Prior art not Relied Upon***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. The documents cited therein teach a variety of implementations of terminals used in homes, aircraft, and sporting events.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: In combination with the claimed subject matter, the prior art does not teach or fairly suggest providing a terminal mounted to each seat of a movie theater wherein the terminal is used to display information related to that which is shown on the movie screen. The closest prior art, U.S. Patent No. 6,813,777 B1 (Weinberger), teaches providing terminals at each seat in an aircraft. The terminals in the aircraft are designed to provide a variety of functions such as facilitating the sale of goods, drinks, videos and games. Weinberger, however, fails to suggest that the information displayed on the terminal is related to that which is shown on the movie screen or that response information is combined with personal information to create a compiled result.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Detwiler whose telephone number is 571-272-4049. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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